

ORIGINAL

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

UNITED STATES DISTRICT COURT

for the
District of Hawaii

____ Division

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
OCT 13 2021
at 11 o'clock and 24 min. P M
MICHELLE RYNNE, CLERK
LS

TELICIA BLYTHE

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

WAL-MART INC.
(WALMART STORES INC)_____
Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No

C V21 00413 LEK RT

(to be filled in by the Clerk's Office)

Jury Trial: (check one) ☒ Yes ☐ No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	TELICIA BLYTHE
Street Address	662 Hilinai St.
City and County	wailuku, Maui
State and Zip Code	HI, 96793
Telephone Number	808-793-7360
E-mail Address	teliciablythe@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

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Defendant No. 1

Name	WALMART INC. (WAL-MART STORES INC)
Job or Title <i>(if known)</i>	headquarters
Street Address	702 southwest 8th St.
City and County	Bentonville
State and Zip Code	AK, 72716
Telephone Number	1-800-925-6278
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title III ADA regulations/laws

U.S. Code Title 42, Chapter 21-Civil Rights

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* TELICIA BLYTHE, is a citizen of the
State of *(name)* Hawaii.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated
under the laws of the State of *(name)* _____,
and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of
the State of *(name)* _____. Or is a citizen of
(foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) WALMART INC., is incorporated under the laws of the State of (name) Delaware, and has its principal place of business in the State of (name) Arkansas.
 Or is incorporated under the laws of (foreign nation) n/a, and has its principal place of business in (name) n/a.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

1. Discrimination due to race
2. Discrimination due to disability
3. Compensatory damages
4. Punitive damages

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

I was not allowed to have my backpack in the store although I use it due to my disabilities. Other people in the store were allowed to have backpacks. I pointed it out to them (and the police when they arrived). I informed them that is discrimination. They insisted I get rid of my backpack or leave & if I didn't they would call the police. I informed them that I had previously been given permission by management to have my backpack and that the people on the door were told to let me have it as well because I cannot carry a standard purse/handbag anymore due to health reasons. They were informed by a passerby that due to ADA laws they needed to accommodate my request to keep my backpack. I shouldn't even need an accommodation because other people were walking around with backpacks and large bags on freely. I have video and pictures. They called the cops on me and had me removed from the property and permanently banned me from the only walmart in Maui.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

1. Request that Wal-Mart allow reasonable accommodations because its lawful.
2. \$1,200,000 for combined damages due to the traumatic experience of multiple layers of discrimination and harassment that has been ongoing for several years.
3. Lawyer fees

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/13/2021

Signature of Plaintiff

Verified by PDFfiller

TELICIA BLYTHE

Printed Name of Plaintiff

TELICIA BLYTHE

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address